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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,356	04/26/2001	Jong-Cheol Park	A34241	8504
21003	7590	12/02/2004	EXAMINER CHO, HONG SOL	
BAKER & BOTTS 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			ART UNIT 2662	PAPER NUMBER

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/843,356

Applicant(s)

PARK ET AL.

Examiner

Hong Cho

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-15 is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 16 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>07132001</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:
 - For the purpose of the clarity, - - does not generate - - should be replaced with - - is not generated - - wherever appropriate.
 - On lines 2 and 4 on page 2, Mo should be defined as Managed Object.
 - On line 14 on page 5, “(S1-2)” should be “(S1-6)”.
 - On line 8 on page 10, “301” should be “201”.
 - On line 24 on page 13, “base” should be “control”.
 - On line 20 on page 14, “302” should be “301”.

Claim Objections

2. Claim 16 is objected to because of the following informality:

Re claim 16, it is objected to under 37 CFR 1.75(c), as being of duplicate of claim 15.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claim 1, improper and indefinite claim languages such as “i.e.”, and “etc” are used on lines 8 and 9.

Re claim 1, the limitation “sub blocks” on line 9 fail to particularly point out what it is and how they are formed out of BSM, control station and BS. It is unclear to the Examiner whether “sub blocks” is referred to the sub-system of BSM, control station and BS or sub-characteristics of BSM, control station and BS or sub-collection of BSM, control station and BS.

Re claim 1, it is unclear which “TMN method” on line 11 is used to managing IMT-2000 system and which version of ITU-T standard on line 13 is used to transfer CMISE service executive instructions.

Re claim 2, improper and indefinite claim languages such as “i.e.”, and “etc” are used on lines 18, 19, 25, and 26 on page 26 and lines 3, 4, 6, and 7 on page 27.

Re claim 3, improper and indefinite claim languages such as “i.e.”, and “etc” are used on lines 24 and 25 on page 27.

Allowable Subject Matter

5. Claims 4-15 are allowed.

The following is an examiner’s statement of reasons for allowance:

6. Claims 4-15 are allowable over the prior art of record since the cited references taken individually or in combination fails to particularly disclose determining, in the TMN repeater within the BSM, whether or not the CMISE service executive instruction pertains thereto upon receiving the CMISE service executive instruction from the TMN network management center and transferring the CMISE service executive instruction to a local TMN repeater within a pertinent control station, as specified in an independent claim 4. It is noted that the closest prior art of record, Takimoto (U.S. 6041350) discloses managing the states of a plurality of network resources based on managed objects via network element management system, but fails to disclose determining whether or not the CMISE service executive instruction pertains thereto upon receiving the CMISE service executive instruction from the TMN network management center and transferring the CMISE service executive instruction to a local TMN repeater within a pertinent control station.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- US Patent (6128302) to Kim et al. discloses internetworking method of TMN manager and agent systems for providing the end-to-end PVC connection
 - US 2002/0029298 to Wilson discloses a system comprising a managing system and a number of managed systems, each comprising a number of managed objects

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong Cho whose telephone number is 571-272-3087.

The examiner can normally be reached on Mon-Fri during 7 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3088.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hong Cho
Patent Examiner
11-24-2004


RICKY NGO
PRIMARY EXAMINER